

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

United States of America,)	
)	
Plaintiff,)	8:08CR138
)	
vs.)	DETENTION ORDER
)	
Karen McDaniel,)	
)	
Defendant.)	

A. Order For Detention

After conducting a detention hearing on March 31, 2008 pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).

B. Statement Of Reasons For The Detention

The Court orders the defendant's detention because it finds:

- _____ By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.
- X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. Based upon her prior felony conviction and the misappropriation of funds from three prior employers, there is a serious risk that she would be a danger to the economic safety of another person or the community.

C. Finding Of Fact

The Court's findings are based on the evidence which was presented in court and that which was contained in the Pretrial Services Report, and includes the following:

- X (1) Nature and circumstances of the offense charged:
- X (a) The crimes: Check Fraud, Money Laundering and Aiding & Abetting are serious crimes and carry a maximum penalty of twenty (20) years imprisonment.
- _____ (b) The offense is a crime of violence.
- _____ (c) The offense involves a narcotic drug.
- _____ (d) The offense involves a large amount of controlled substances, to wit: _____

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 X (2) The weight of the evidence against the defendant is high that the defendant was involved in the misappropriation of over \$750,000 from her employer.

 X (3) The history and characteristics of the defendant including:

(a) General Factors:

 The defendant appears to have a mental condition which may affect whether the defendant will appear.

 The defendant has no family ties in the area.

 The defendant has no steady employment.

 X The defendant has no substantial financial resources.

 The defendant is not a long time resident of the community.

 The defendant does not have any significant community ties.

 Past conduct of the defendant: _____

 The defendant has a history relating to drug abuse.

 The defendant has a history relating to alcohol abuse.

 The defendant has a significant prior criminal record.

 The defendant has a prior record of failure to appear at court proceedings.

(b) At the time of the current arrest, the defendant was on:

 Probation

 Parole

 Release pending trial, sentence, appeal or completion of sentence.

(c) Other Factors:

 The defendant is an illegal alien and is subject to deportation.

 The defendant is a legal alien and will be subject to deportation if convicted.

 The Bureau of Immigration and Customs Enforcement (BICE) has placed a detainer with the U.S. Marshal.

 Other: _____

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- X (4) The nature and seriousness of the danger posed by the defendant's release are as follows:
During time covered by current counts, the defendant was on probation for a similar charge.

Information received during detention hearing that defendant also stole money (over \$100,000) from another prior employer.

D. **Additional Directives**

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: April 1, 2008.

BY THE COURT:

S/ F. A. Gossett
United States Magistrate Judge